

### REMARKS

Claims 1-79 have been canceled without prejudice. Claims 80-106 have been added. The amendments are fully supported by the instant specification and claims as originally filed. No new matter has been added. In particular, claims 80, 89, and 98 are supported by the specification at page 29, lines 1-7 (disclosing a sustained release dosage form); page 13, line 16 (disclosing oxymorphone), page 26, lines 15-16 (disclosing hydrophilic polymers), page 28, line 23 (disclosing a binder and diluent); and page 29, line 7 to page 30, lines 12-20 (disclosing a process for preparing the sustained release dosage form). Claims 81, 90, and 99 are supported by page 10, line 7 (disclosing 0.1mm to 3mm); claims 82-83, 94-95, and 100-101 are supported by the specification at page 28, line 19 (disclosing alkylcellulose and ethylcellulose); claims 84-86, 93-95, and 102-104 are supported by the specification at page 1, lines 21-26 (disclosing tablets, capsules, and a matrix); claims 87-88, 96-97, and 105-106 are supported by the specification at page 9, lines 1-10 (disclosing a therapeutic effect lasting from 12-24 hours).

It is respectfully requested that the above amendment and remarks be entered into the file of the application. No fee is believed to be due for this amendment. Should any fee be required, please charge such fee to Jones Day Deposit Account No. 503013.

Date: March 17, 2004

Respectfully submitted,

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